

Addendum A

Documentation of Agency Comments Received



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

September 4, 2007

Mr. Sean P. Mickal
New Orleans District
U.S. Army Corps of Engineers
P.O. Box 60267
New Orleans, LA 70160-0267

Dear Mr. Mickal:

In accordance with our responsibilities under Section 309 of the Clean Air Act, the National Environmental Policy Act (NEPA), and the Council on Environmental Quality regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Integrated Final Report to Congress and Legislative Environmental Impact Statement (LEIS) for the Mississippi River -- Gulf Outlet (MRGO) Deep-Draft De-Authorization Study.

EPA rates the Draft LEIS as "LO", i.e., EPA has a "Lack of Objections" to the proposed action described in the Draft LEIS. EPA supports the proposed de-authorization of MRGO as a necessary precursor to much-needed hurricane protection and coastal restoration projects in the vicinity of this navigation channel.

Our rating of this Draft LEIS will be published in the Federal Register according to our responsibility under Section 309 of the Clean Air Act to inform the public of our views on proposed Federal actions. If you have any questions, please contact me at (214) 665-7451 or by e-mail at jansky.michael@epa.gov.

EPA appreciates the opportunity to review the Draft LEIS. Please send our office two copies of the Final LEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20460.

Sincerely yours,

A handwritten signature in black ink that reads "Michael P. Jansky, P.E.".

Michael P. Jansky, P.E.
Regional EIS Coordinator
EPA Region 6

Internet Address (URL) • <http://www.epa.gov>

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OFFICE OF ENVIRONMENTAL AFFAIRS
CITY OF NEW ORLEANS

C. Ray Nagin
Mayor

Wynecta Fisher
Director

September 4, 2007

Dear Mr. Mickal:

I am submitting comments on behalf of the Office of Environmental Affairs regarding the "Draft Integrated Final report to Congress and the Legislative Environmental Impact Statement for the Mississippi River Gulf Outlet Deep-Draft De-authorization Study – Main Report June 2007".

I want to commend you and your staff on completing this arduous task within the time frame given to you. I support your decision to block the channel with a total closure structure across the MRGO at Bayou la Loutre. However, I feel it is equally important to restore Wetlands that have been affected by the channel. Please consider assisting the New Orleans Sewage and Water Board wetlands assimilation project as well as other projects that will restore wetlands in the middle and lower Pontchartrain basin. Finally, I encourage you to secure an appropriate level of resources to relocate businesses presently dependent upon MRGO to suitable locations within the Port of New Orleans.

If you have any questions, please do not hesitate to contact me at (504) 658-4074.

Sincerely,

Wynecta Fisher
Director



U.S. Department of
Homeland Security

United States
Coast Guard

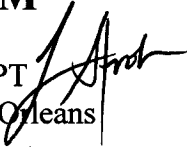


Commander
U. S. Coast Guard
Sector New Orleans

201 Hammond Hwy
Metairie, LA 70005
Staff Symbol: spw
Phone: (504) 846-6184
Fax: (504) 565-5113

16600
28 Aug 2007

MEMORANDUM

From: L. D. Stroh, CAPT 
CG Sector New Orleans

To: Mr. Sean Mickal
U.S. Army Corps of Engineers, New Orleans District

Subj: DRAFT INTEGRATED FINAL REPORT TO CONGRESS AND LEGISLATIVE
ENVIRONMENTAL IMPACT STATEMENT FOR THE MISSISSIPPI RIVER GULF
OUTLET (MRGO)

1. My staff has thoroughly reviewed your draft Legislative Environmental Impact Statement (LEIS) dated July 11, 2007, in which you have clearly identified "Alternative 1" as your tentatively selected plan. This plan consists of constructing a Total Closure Structure across the MRGO near Bayou La Loutre and calls for the de-authorization of navigation on the MRGO from mile 60 at the southern bank of the Gulf Intracoastal Waterway (GIWW) to the Gulf of Mexico. Since the requirements of this plan require the closure of the MRGO, a significant navigational waterway, there are serious U. S. Coast Guard (USCG) concerns that must be addressed and are listed for your consideration.
 - a. In regards to the first potential alternate route around the IHNC-GIWW-MRGO system: "Mississippi River to Baptiste Collette Bayou and into Breton Sound and Chandeleur Sound and up to Mississippi Sound to rejoin the GIWW," there are significant safety concerns to this proposed route. As explained in 46 Code of Federal Regulations, this route, as proposed, is an "Exposed Route" which will take maritime traffic more than 20 miles from a Harbor of Safe Refuge. As such, vessels and barges may endure potential "special hazards due to weather or other circumstances" for an extended period of time while in open water. Inland barge and tow configurations are not designed for this type of route and if transited could result in a hazardous condition.
 - b. In regards to the fifth potential alternative route around the IHNC-GIWW-MRGO system: "Emergency removal of a portion of the rock total closure structure in the event of prolonged delays or inoperability of the IHNC Lock if authorization and funding are available," the USCG has major concerns with regard to re-establishing ATON for the GIWW if navigation were to re-commence through the area. It would take the USCG approximately 2 weeks to set up appropriate ATON for that area, if funding and assets

Subj: DRAFT INTEGRATED FINAL REPORT TO CONGRESS AND
LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT FOR
THE MISSISSIPPI RIVER GULF OUTLET (MRGO)

16600
28 Aug 2007

were immediately available. Additionally, it may take the Coast Guard longer to set up ATON if this option was implemented in response to a natural disaster, as resource availability would be even more limited.

- c. In regards to the disestablishment of our Aids to Navigation (ATON) on the MRGO, the USCG is not funded for a project of this magnitude. In the LEIS, \$700,000 is quoted as the estimated cost for removal of navigational aids. How will this funding be given to the Coast Guard to remove these aids? Also, does this funding include new ATON that may be required if an alternate route is selected?
 - d. If the total closure of the MRGO is authorized by Congress, a complete Waterways Analysis and Management System (WAMS) evaluation will need to be completed for the MRGO. I believe several aids in the vicinity of Bayou Yscloskey, Bayou Dupree, and the jetties will need to remain in service for commercial and recreational boaters.
2. As always, it is a pleasure to work with you and your staff. If you have any questions or concerns, please contact me directly or LCDR Steven Keel at (504) 565-5044.

#

Copy: USACOE, Planning, Programs, and Project Management Division, Environmental
Planning and Compliance Branch (CEMVN-PM-R)
CGD Eight (dpw)



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
P.O. Box 26567 (MC-9)
Albuquerque, New Mexico 87125-6567



IN REPLY REFER TO:

ER 07/579
File 9043.1

August 30, 2007

Sean P. Mickal
U.S. Army Corps of Engineers
New Orleans District
PO Box 60267
New Orleans, LA 70160-0267

Subject: Integrated Final Report and Draft Legislative Environmental Impact Statement (LEIS) for the proposed Mississippi River-Gulf Outlet (MRGO) Deep Draft De-Authorization, Louisiana

The U.S. Department of the Interior has reviewed the Integrated Final Report and Draft Legislative Environmental Impact Statement (LEIS) for the proposed Mississippi River-Gulf Outlet (MRGO) Deep Draft De-Authorization Study, Louisiana. As directed by Congress in Public Law 109-234, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, the U.S. Army Corps of Engineers (USACE) shall utilize \$3,300,000 to develop a comprehensive plan, at full Federal expense, to de-authorize deep-draft navigation on the MRGO, Louisiana, extending from the Gulf of Mexico to the Gulf Intracoastal Waterway. The following comments are provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) and the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

The Tentatively Selected Plan (TSP) consists of totally closing the MRGO with a rock structure at the south ridge of Bayou La Loutre in St. Bernard Parish, Louisiana. The structure would connect the two sides of the ridge, a distance of about 950 feet, and would be at +5 feet Mean Low Gulf elevation.

General Comments

The Report and Draft LEIS are well-written and provide an excellent description of fish and wildlife resources in the project area and project impacts on those resources. Marshes in the project area provide important habitat for several Federal trust species including wading birds, neotropical migrants, and resident and migratory waterfowl. We agree that a total closure structure will likely prevent some of the expected future marsh loss, and restoring the hydrology of the natural Bayou La Loutre ridge may decrease salinity upstream of the closure. Decreasing

salinity input from this location would increase the integrity of the interior wetlands thereby sustaining or increasing the area's habitat value for a number of wetland-dependent species. Specific comments are provided in the following section.

Specific Comments

Page 86, Paragraph 2 – This paragraph indicates concurrence with the 4th recommendation from the U.S. Fish and Wildlife Service requesting monitoring of the project. However, it states that concurrence would be accomplished through existing monitoring programs rather than through project specific monitoring. We would like the USACE to reconsider including monitoring as part of this project even if for a short time and limited area in and around the closure structure. As an alternative the USACE could supplement an agency's existing monitoring program. For example, the Louisiana Department of Environmental Quality's quarterly samples (e.g., Bayou Dupre, IHNC, Causeway, and Rigolets) could be sampled every 2 months for 2 years following the total structure closure. The gathered data would be extremely useful for addressing assumptions about the system's response to the closure structure and identifying any potential adverse impacts.

Page 86, Paragraph 2 – This paragraph indicates concurrence with the 5th recommendation from the FWS requesting that the USACE seek legislative approval to maintain the existing bank stabilization features that provide erosion protection benefits. However, it states concurrence may be accomplished through investigations under other authorities. We encourage the USACE to reconsider modifying the TSP to include maintenance for the shoreline protection features for at least one more maintenance cycle, especially on the north bank of the MRGO at the MRGO/Lake Borgne interface. Even though the total closure structure will greatly reduce vessel traffic erosion, wind and small boat wave erosion are still expected to occur from both the MRGO and Lake Borgne. The shoreline protection features are beneficial to protecting the critical wetlands between the MRGO and Lake Borgne. Protecting those wetlands is not only beneficial to fish and wildlife resources of the area but the 4th supplemental Congressional mandate for the MRGO bank stabilization project is to repair, construct or provide measures or structures necessary to protect, restore or increase wetlands to prevent saltwater intrusion or storm surge in the MRGO area. If shoreline protection features are not maintained at least until other authorities can assume the responsibility, sustainability of those critical wetlands and the protection they provide to the Greater New Orleans area would be at risk.

Section 8, Literature Cited, pages 100-103 – The U.S. Geological Survey indicated that there are a number of literature citations that would benefit from additional information, do not include the correct information, or are not cited in the draft document. These include, but are not limited to the following:

Barras, J.A., Bourgeois, P.E., and Handley, L.R., 1994, Land loss in coastal Louisiana 1956-90: National Biological Survey, National Wetlands Research Center Open-File Report 94-01. 4pp.

A copy of this publication is available at:

<http://www.lacoast.gov/cwppra/reports/LandLoss/index.htm>.

Barras, J., Beville, S., Britsch, D., Hartley, S., Hawes, S., Johnston, J., Kemp, P., Kinler, Q., Martucci, A., Porthouse, J., Reed, D., Roy, K., Sapkota, S., and Suhayda, J., 2003, Historical and projected coastal Louisiana land changes—1978–2050, Appendix B of Louisiana Coastal Area (LCA), Louisiana Ecosystem Restoration Study: U.S. Geological Survey Open-File Report 2003-334, 39pp., <http://pubs.er.usgs.gov/usgspubs/ofr/ofr0334>, accessed September 16, 2006.

This publication is not cited in the DEIS. The correct website for the publication is <http://www.nwrc.usgs.gov/special/NewHistoricalland.pdf> and the correct report number is OFR 03-334 (Revised January 2004).

The following publications are not cited in the main body of the DEIS:

Barras, J.A., 2006, Land area change in coastal Louisiana after the 2005 hurricanes—a series of three maps: U.S. Geological Survey Open-File Report 06-1274.

Morton, R., Bernier, J., Barras, J., and Fernia, N., 2005, Rapid subsidence and historical wetland loss in the Mississippi Delta Plain, likely causes and future implications: U.S. Geological Survey Open-File Report 2005-1216, 124pp., <http://pubs.usgs.gov/of/2005/1216/>, accessed August 9, 2006.

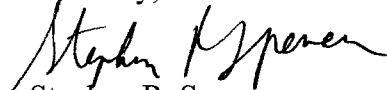
The publication can be accessed directly at: <http://pubs.usgs.gov/of/2005/1216/ofr-2005-1216.pdf>.

U.S. Geological Survey, National Wetlands Research Center, Baton Rouge Production Office. 2002. Digital data depicting marsh zones for 1949, 1968, 1978, 1988, and 1997.

Appendix J, Threatened and Endangered Species Letter - As stated in this Appendix, every effort would be made by the USACE-MVN to construct the TSP during the May through September window when Gulf sturgeon are in the rivers and not the estuaries. We concur with this Appendix that no impacts will occur to any Federally-listed threatened or endangered species under FWS jurisdiction. The National Marine Fisheries Service is responsible for aquatic marine threatened or endangered species.

We fully support the measures proposed for the MRGO Deep Draft De-Authorization project and we appreciate the opportunity to provide comments on the draft document. If you have any questions regarding comments on wetlands and fish and wildlife resources, please contact Catherine Breaux of the FWS, Lafayette, Louisiana, Ecological Services Field Office at (504) 862-2689. For questions regarding the references provided by the USGS, please contact Lloyd Woosley, Chief of the USGS Environmental Affairs Program, at (703) 648-5020, or at lwoosley@usgs.gov.

Sincerely,



Stephen R. Spencer
Regional Environmental Officer

cc: National Marine Fisheries Service, Baton Rouge, LA
Environmental Protection Agency, Dallas, TX
Natural Resources Conservation Service, Alexandria, LA
Louisiana Department of Wildlife and Fisheries, Baton Rouge, LA
Louisiana Department of Natural Resources (CRD & CMD), Baton Rouge, LA



KATHLEEN BABINEAUX BLANCO
GOVERNOR

**STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

P.O. Box 94245
Baton Rouge, Louisiana 70804-9245

<http://www.dotd.louisiana.gov>
Public Works & Hurricane Flood Protection



JOHNNY B. BRADBERRY
SECRETARY

August 27, 2007

Mississippi River Gulf Outlet Deep-Draft De-authorization Study
Integrated Final Report to Congress & Legislative Impact Statement
Comments on the Main Report and Appendices

Mr. Sean P. Mickal
U.S. Army Corps of Engineers, New Orleans District
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Mr. Mickal:

The Louisiana Department of Transportation & Development (DOTD) was recently provided with the MRGO 3-D Final Draft Report & LEIS. After reviewing this report and its appendices, we offer the following comments and questions.

Main Report:

1. Does the \$350 million or the \$170 million authorized and provided for construction of enhanced hurricane protection for the IHNC include replacement of the IHNC Lock structure? (1.4, last paragraph, p. 7)
2. Is there a pre-MRGO wetlands loss reference to show a change in rate of wetlands reduction? (3.2.2, Table 3.1 & second paragraph, p. 37)
3. State the distance saline marsh has encroached inland and more specifically the acreage of types of land/marsh lost. (3.2.2, fourth paragraph, p. 38)
4. It needs to be noted here that the continued loss of habitat for threatened and endangered species on the Breton Islands and Chandeleur chain is not due to the MRGO de-authorization. The use of dredged material from the outlet for reconstitution of these habitats and barrier islands was an added benefit and never a primary purpose. The use of this by-product should not be considered as a determining factor for continued authorization or de-authorization of the MRGO. (3.2.6, third paragraph, p. 43)
5. Is there a study that demonstrates loss of business to or in Louisiana due to MRGO de-authorization? What will be the cost to businesses along the MRGO? What mitigation measures will be taken to correct or lessen these? Are buyouts being considered for businesses interested in moving? (3.2.13, p.57-58)
6. A viable alternative route around the IHNC-GIWW-MRGO should be decided upon and authorized in the event of IHNC Lock failure or congestion. (4.10, fourth paragraph, p. 83)

7. The local sponsor is obligated to OMRR&R costs at an estimate of \$6.8 million per year? The total average annual benefits are estimated at \$12.5 million per year. The total average annual net benefit of de-authorization is estimated at \$5.7 million per year. What parties will see this net benefit, the state, local sponsor, or federal government, and at what ratio? (6.2, third paragraph, p. 93)

Appendices:

8. What reasons were determined for the sharp decline of tonnage transport from 1990, specifically from 2000 to 2004? (Appendix B-3, Graph 1)
9. Foreign freight represented 86% of tonnage traveling through the MRGO from 1999-2004. Has domestic freight sought alternate sources of transport or different routes? (Appendix B-3, Table 1; B-4, first paragraph)
10. What is the feasibility of deconstructing and reconstructing the stone closure structure in to a weir along Bayou La Loutre across the MRGO in case of an emergency IHNC Lock failure? The estimated total cost of this estimated at \$1 million dollars. What is the time frame of constructing the weir and that of rebuilding the total closure structure? (Appendix C-16 & 17)

If you have any questions or comments, please contact me at (225) 274-4348.

Sincerely,

Clyde P. Martin, Jr., P.E.
Director, Flood Protection Programs

A handwritten signature in black ink, appearing to read 'Dustin White', with a long horizontal line extending to the right.

Dustin White, EI
Design Engineer

cc: Mr. Edmond Preau
Mr. David Miller
Mr. Clyde Martin
Mr. Bill Feazel



KATHLEEN BABINEAUX BLANCO
GOVERNOR

State of Louisiana

DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF SECRETARY

BRYANT O. HAMMETT, JR.
SECRETARY

31 August, 2007

Mr. Sean Mickal
CMVN-PM-RS
Environmental Department
U.S. Army Corps of Engineers
P.O. Box 60267
New Orleans, LA 70160

RE: Draft Legislative Environmental Impact Statement (DLEIS) – Mississippi River-Gulf Outlet (MRGO) Deep-Draft De-authorization Study

Dear Mr. Mickal:

The Louisiana Department of Wildlife and Fisheries (LDWF) is the state agency responsible for management of the state's renewable natural resources including all wildlife and aquatic life. The Department's mission is to manage, conserve, and promote wise utilization of Louisiana's renewable fish and wildlife resources and their supporting habitats through replenishment, protection, enhancement, research, development, and education for the social and economic benefit of current and future generations; to provide opportunities for knowledge of and use and enjoyment of these resources; and to promote a safe and healthy environment for the users of the resources. With this in mind, LDWF staff have reviewed the Draft Legislative Environmental Impact Statement (DLEIS) – Mississippi River-Gulf Outlet (MRGO) Deep-Draft De-authorization Study and provide the follow comments.

Currently Louisiana is experiencing rapid changes due to a wide range of natural and anthropogenic influences. Many of these changes have already negatively affected fish and wildlife resources in the coastal regions of the state. Existing navigation channels have exacerbated wetland loss and diminished access to critical habitat for estuarine species that rely on the area for some portion of their lifecycle.

LDWF's concerns about the impacts to fish, wildlife and habitats resulting from construction and maintenance of the MRGO are a matter of public record. The DLEIS notes that 5,324 acres immediately adjacent to the channel have been lost since construction of MRGO channel along with a decline in fish and wildlife in the area. LDWF is in basic agreement with the Tentatively Selected Plan (TSP) for a complete closure of the channel. Under the Tentatively Selected Plan, that portion of the MRGO channel from mile 60 at the southern bank of the GIWW to the Gulf

Page 2

Mr. Mickal

DLEIS for MRGO Deep Draft De-authorization Study

of Mexico would be de-authorized for all navigation use. The MRGO channel (mile 66 – 60), the Michoud Canal Project, and the IHNC Lock Replacement Project would remain authorized. As part of the Plan, a total closure structure would be built of rock at the south ridge of Bayou La Loutre in St. Bernard Parish, Louisiana. The structure would connect the two sides of the ridge, a distance of approximately 950 feet. Closure should greatly benefit the surrounding area and alleviate the direct effects of the channel on the Pontchartrain estuary, e.g., expansion of the hypoxic-anoxic zone in the Lake, and the erosion issues associated with vessel traffic on the MRGO itself.

The USACE proposes to abandon all channel features constructed for purposes of shoreline protection, levee protection, and channel protection (i.e., jetties and foreshore protection). The USACE also predicts that these abandoned hard structures will subside below the water line. Therefore, LDWF recommends that either navigational aids be maintained on all abandoned channel features to insure that they pose no hazard to navigation or that all such structures be removed entirely.

The USACE acknowledges the indirect impacts associated with the local recreational and commercial fishing fleet having to find alternative routes around the Bayou La Loutre structure, but the DLEIS does not discuss them at length or attempt to quantify them. Considering the deteriorated state of marsh in the areas adjoining the present MRGO, impacts to smaller water bodies could be significant. The DLEIS notes, "Some vessels may choose to utilize Bayou La Loutre, a Federally authorized channel, to access Chandeleur Sound and numerous waterways in the Biloxi Marshes following installation of a total closure structure on the MRGO channel.", and further, "Although the potential number of vessels that would use Bayou La Loutre and the potential impacts of diverted vessel traffic along the waterway cannot be quantified at this time, the overall environmental benefits of the Tentatively Selected Plan will far outweigh any potential impacts to Bayou La Loutre. Vessel traffic and shoreline erosion rates are monitored along Bayou La Loutre and other Louisiana waterways under private, state, and Federal efforts to implement coastal restoration plans." There are no data presented to justify this statement, and while we agree that there are overall environmental benefits to the closure as the USACE has described it, substituting one environmental problem for another in this fragile area of Louisiana's coast is not acceptable. The State Comprehensive Coastal Restoration and Protection Master Plan (2007) notes, "In addition, actions must be taken to avoid increased erosion in nearby waterways should shallow draft and recreational traffic circumvent the closure structure." De-authorization of Bayou La Loutre may be necessary to prevent it from becoming a traffic thoroughfare in the future (i.e. increase depth to accommodate vessels unable to use MRGO). It may also increase shoreline erosion within the channel. By not attempting to estimate the effects of rerouted vessel traffic, the USACE has shifted the burden of the cost of repairing, protecting, maintaining those substitute waterways to local and state entities. We find this unacceptable, and we strongly urge that the cost of protecting Bayou La Loutre and other area waterways be included as part of the deauthorization plan.

As stated in the DLEIS, the waterway is currently heavily used by recreational fisherman and small commercial fishing boats to access Breton Sound and other inland bays and lakes.

Page 3

Mr. Mickal

DLEIS for MRGO Deep Draft De-authorization Study

Therefore, LDWF recommends that the USACE provide a boat launch, immediately south of the proposed closure structure on the right descending bank of the MRGO as an alternative access route. A boat launch at this location will also relieve some of the anticipated increase in vessel utilization of Bayou La Loutre, an increase in use that will adversely impact the shoreline of Bayou La Loutre.

The draft Fish and Wildlife Coordination Act report recommended, among other things, that the area in and around the total closure structure and key locations from the total closure structure and north as far as Lake Maurepas, if possible, should be monitored to sufficiently determine the hydrologic effects of the closure and to document the changes in circulation patterns, salinity changes, and changes to the hypoxic-anoxic (H-A) zone, which is about 100 square miles in Lake Pontchartrain with the Industrial Canal as the focal point. The USACE responded that, "Concurrence ... would be accomplished through existing monitoring programs rather than through project specific monitoring. Monitoring of coastal wetlands and associated parameters occurs as part of existing, well-developed coastal restoration programs in Louisiana. Efforts include programs of the Federal government under the USACE and USGS, state efforts under the Louisiana Department of Natural Resources, and private programs executed in academic studies, environmental organizations, and through efforts of land owners and businesses. These efforts collect environmental data that is utilized in developing plans and projects to protect and restore coastal habitats in the state. Specific parameters monitored in the MRGO project area under these programs include wetlands loss and water quality elements. This information collection would capture some of the effects of the proposed total closure structure and allow other programs to address environmental restoration opportunities as they arise. Project specific monitoring is not included in the tentatively selected plan for this MRGO de-authorization study."

The LDWF finds this response unacceptable. Total closure of the MRGO is a large project in an environmentally sensitive area. Additional project specific monitoring is needed, both to assess the possible impacts on hydrology and estuarine circulation and material movement as well as the possible impacts on fish and wildlife. The USACE has expressed support of the concept of adaptive management in large comprehensive planning efforts for the Louisiana Coastal Area, and in the in-press Louisiana Coastal Area Protection and Restoration Plan. "Adaptive management" as envisioned by USACE and state and federal coastal planners establishes a feed back mechanism linking construction/implementation of plan elements to results of those actions. Monitoring, of course, is the link; monitoring of this closure should include pre and post closure conditions, and include parts of Bayou La Loutre in the plan. The LDWF strongly urges that project specific monitoring be implemented and that resulting data be used per the adaptive management strategy espoused by the USACE to manage the constructed project, and to provide critical information for future projects.

In addition, the total closure structure across the MRGO will force incoming tides and storm surges through and into other existing waterways as they approach the Bayou La Loutre Ridge. Therefore, LDWF recommends that the USACE monitor and maintain the integrity of the southern bank of Bayou La Loutre to insure the integrity of this natural ridge. If monitoring

Page 4

Mr. Mickal

DLEIS for MRGO Deep Draft De-authorization Study

indicates that the closure structure results in substantial increases in volumes and/or velocities flowing through these other waterways, maintenance of the bankline will be necessary. Maintenance may include, but is not limited to, construction of plugs across manmade canals, shoreline protection features, and beneficial use of spoil material.

The DLEIS also provides five alternative routes for shallow draft vessels to use when the Inner Harbor Navigation Canal Lock is congested or inoperable. Three of the five entail a route from Baptiste Collette Bayou through some portion of the Breton Sound and into 1. Chandeleur Sound and up to Mississippi Sound to rejoin the GIWW; 2. north up to the back retainer canal on the south side of the MRGO spoil area and up to Bayou La Loutre at Hopedale to enter the MRGO and travel up to rejoin the GIWW in the vicinity of Michoud; and 3. Mississippi River to Baptiste Collette Bayou and into Breton Sound and north up to the mouth of Bayou La Loutre in Bay Eloi and then through Bayou La Loutre to enter the MRGO and travel up to rejoin the GIWW in the vicinity of Michoud. The area described is part of Louisiana's public oyster seed ground area, and as a general policy the Department is opposed to additional dredging in the public oyster seed grounds. Any route through Breton Sound from Baptiste Collette has the potential to impact valuable reef complexes. If a route through Breton Sound is chosen, it should remain well east of the marsh islands and LDWF should be consulted in route determination.

The USACE estimates that the TSP could reduce a "significant percentage" of the 1,863 acres of marsh predicted to be lost in the future without project scenario. Because one of the more egregious impacts of the construction of the MRGO was salinity intrusion into surrounding marshes through the channel, plugging of the channel at Bayou La Loutre should aid in alleviating continued saltwater intrusion. The DLEIS states that because of this aid, closure of the channel could decrease marsh salinities in the area to a value closer to historic conditions. We caution against any plan that will cause this decrease to occur in a short time frame. A gradual shift in salinity will allow more time for the fishery to be able to adapt to the changes. Changes in the flow regime through the MRGO could also affect existing project areas such as the Caernarvon outfall areas. Changes may also be documented in the Department of Health and Hospitals' shellfish pollution harvest area restrictions. Future restoration measures are also proposed for the area, such as the Violet Siphon, that would also influence the salinity regime. If and when those measures are constructed and implemented, we ask that the USACE include LDWF staff in development of their operational and monitoring plan.

Additionally, some of the information in the report on existing conditions concerning wildlife and fisheries species seems to be dated. All of the cited literature dates from the 1970's and 1980's. More current information is available and should be used.

With the strong potential for development of deep draft navigation across coastal Louisiana, LDWF strongly recommends that those impacts from proposed deep draft navigation projects be cumulatively evaluated with the historical impacts associated with MRGO. The MRGO navigation project provides one model that has data documenting the impacts resulting from a deep draft navigation channel cutting across wetland habitats. Future project designs and plans should be developed in conjunction with planned and existing coastal restoration projects such as

Page 5

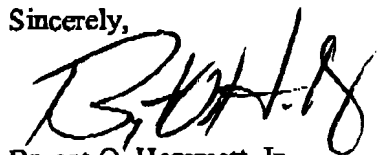
Mr. Mickal

DLEIS for MRGO Deep Draft De-authorization Study

the LCA, the state's Comprehensive Coastal Protection and Restoration Plan, and the federal LACPR planning.

Thank you for the opportunity to comment on this important project. If you have any questions about our comments please contact Manuel Ruiz at 225-765-2373 or mruiz@wlf.louisiana.gov.

Sincerely,



Bryant O. Hammett, Jr.
Secretary

cc:

Brandt Savoie - LDWF

John E. Roussel - LDWF

Karen Foote - LDWF

Phil Bowman - LDWF

Mike Windham - LDWF

Heather Finley - LDWF

Kyle Balkam - LDWF

Manuel Ruiz - LDWF

NOAA

USFWS

EPA

LDNR

CPRA Integrated Planning Team



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701

August 13, 2007

F/SER46/RH:jk
225/389-0508

Ms. Elizabeth Wiggins, Chief
Environmental Planning and Compliance Branch
Planning, Programs, and Management Division
New Orleans District, U.S. Army Corps of Engineers
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Ms. Wiggins:


NOAA's National Marine Fisheries Service (NMFS) has received the draft Integrated Final Report (IFR) to Congress and draft Legislative Environmental Impact Statement (LEIS) for the Mississippi River – Gulf Outlet (MRGO) Deep-Draft De-authorization Study transmitted for our review by your letter dated July 11, 2007. The LEIS evaluates the potential impacts associated with constructing a rock plug across the MRGO at the south shoreline of Bayou La Loutre in St. Bernard Parish, Louisiana. This project is in response to a directive from the U.S. Congress, following Hurricane Katrina, for the U.S. Army Corps of Engineers to plan for de-authorization of deep-draft navigation on the MRGO.

NMFS has reviewed the LEIS and determined that the document adequately describes and evaluates potential project impacts to essential fish habitat (EFH) and marine fishery resources. As such, we have no revisions to recommend for the LEIS. In addition, NMFS agrees with findings in the LEIS that project implementation could benefit more productive categories of EFH by reducing shoreline erosion caused by the passage of large ships and by reducing salt water intrusion. In light of the potential benefits to EFH and marine fishery species, the Habitat Conservation Division of NMFS fully supports project implementation.

It should be noted that the project is located in an area identified as critical habitat for the endangered gulf sturgeon. Please note that our Protected Resources Division is responsible for all issues regarding threatened and endangered species and marine mammals for which NMFS is responsible. For coordination regarding potential project related impacts to threatened and endangered species for which NMFS is responsible, or questions regarding the adequacy of the LEIS is addressing those resources, please contact Mr. David Bernhart of our Protected Resources Division at (727) 551-5767.

We appreciate the opportunity to review and comment on the draft IFR and LEIS.

Sincerely,

 Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

cc:
FWS, Lafayette
EPA, Dallas
LA DNR, Consistency
F/SER3, Bernhart
F/SER46, Ruebsamen
Files



State of Louisiana



KATHLEEN BABINEAUX BLANCO
GOVERNOR

SCOTT A. ANGELLE
SECRETARY

**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL RESTORATION AND MANAGEMENT**

August 20, 2007

Mr. Sean P. Mickal
U.S. Army Corp. of Engineers
CEMVN-PM-R
P.O. Box 60267
New Orleans, Louisiana 70160-0267

Re: Mississippi River Gulf Outlet – Draft Legislative
Environmental Impact Statement

Dear Mr. Mickal:

After reviewing the draft Legislative Environmental Impact Statement (LEIS) from an ecosystem restoration perspective, the Louisiana Department of Natural Resources (LDNR) provides the following comments.

As stated in the LEIS, the Mississippi River Gulf Outlet (MRGO) was responsible for 17,100 acres of direct wetland loss through channel construction and spoil placement and 5,324 acres due to bank erosion. After construction of the MRGO, an additional 30,520 acres of wetland were impacted through salinity regime changes and habitat shifting due to salt water intrusion. While the proposed action does not mitigate for these losses, it is essential to preventing these trends from continuing into the future. Additionally, the proposed action can be synergistic to other proposed restoration projects adding to the overall restoration of the area. As such, the LDNR supports the recommendation in the draft LEIS to immediately close the MRGO at the Bayou la Loutre Ridge and de-authorize the MRGO for all navigation use.

Very truly yours,

Scott A. Angelle
Secretary

SAA:ADB:dpg



*Southeast Louisiana Flood
Protection Authority - East*

208 Poydras Court, Suite B
Baton Rouge, Louisiana
70822

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Handwritten notes:
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Mr
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Phyllis ERW
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August 20, 2007

Col. Alvin B. Lee
District Engineer
U.S. Army Corps of Engineers
New Orleans District

VIA HAND DELIVERY

Re: Integrated Final Report to Congress and
Legislative Environmental Impact Statement for
the Mississippi River – Gulf Outlet Deep Draft
Deauthorization Study

Dear Col. Lee:

Attached is Resolution No. 08-16-07-006, which was unanimously
adopted by the Southeast Louisiana Flood Protection Authority – East at its
meeting held on August 16, 2007, providing response to the subject study report.

A certified copy of the aforementioned resolution will be provided as soon
as it is available.

Sincerely,

Timothy Doody
President

On the motion of Mr. Goins,
Seconded by Mr. Wittie, the following resolution was offered:

RESOLUTION #08-16-07-006

Resolution in response to the "Integrated Final Report to Congress and Legislative Environmental Impact Statement for the Mississippi River – Gulf Outlet Deep Draft De-Authorization Study"

WHEREAS, The U.S. Congress has directed the Secretary of the Army, acting through the Chief of Engineers, to develop a plan for de-authorization of deep-draft navigation for the Mississippi River-Gulf Outlet (MRGO) from the Gulf of Mexico to the Gulf Intracoastal Waterway (GIWW), and;

- WHEREAS**, The goals and objectives of this study are:
- Develop a comprehensive plan to de-authorize deep-draft navigation on the MRGO channel from the GIWW to the Gulf of Mexico
 - Evaluate any navigation functions that should be maintained on the MRGO channel
 - Identify measures for hurricane and storm damage reduction
 - Refine the plan to be fully integrated and consistent with the LACPR Final Report to Congress, and;

WHEREAS, Wetland/marsh restoration is a vital part of hurricane protection in Southeast Louisiana, and;

WHEREAS, Between 1964 and 1996, 5,324 acres of marsh have been lost adjacent to the MRGO channel as well as 3,350 acres of fresh/intermediate marsh and 8,000 acres of cypress swamp converted to brackish marsh and 19,170 acres of brackish marsh and swamp became saline marsh (USACE 1999) and bank erosion along the MRGO has been estimated to occur at rates of between 27 and 38 feet per year on the Inland Reach (USACE 2004), and;

WHEREAS, Loss of this wetland marsh and the open channel of the MRGO has increased tidal surges into St. Bernard Parish and the Industrial Canal corridor causing devastating flooding during hurricanes Betsy and Katrina, and;

WHEREAS, Failure of the levees along the Inner Harbor Navigational Canal ("the Industrial Canal") due to hurricane tidal surges from the MRGO presents the greatest risk of loss of life and property damage under the jurisdiction of the Southeast Louisiana Flood Protection Authority – East; and;

WHEREAS, the United States Army Corps of Engineers ("USACOE") in its ongoing Deep Draft De-Authorization Study has determined as its most effective option for closure of the MRGO, Alternative 1 - Alternative 1 – Construct a Total Closure Structure across the MRGO near Bayou La Loutre immediately; and

NOW THEREFORE, be it resolved that the Southeast Louisiana Flood Protection Authority – East, acting as the Board of Commissioners for the Orleans Levee District, the Lake Borgne Levee District and the East Jefferson Levee District that:

Section 1. Strongly supports the Tentatively Selected Plan and urges that the Corps quickly complete its study of de-authorizing the MRGO as a navigable channel;

Section 2. The United States Congress must quickly act to de-authorize the Mississippi River Gulf Outlet as a navigation channel so that this channel can be closed to hurricane tidal surges as quickly and economically as possible;

Section 3. The Southeast Louisiana Flood Protection Authority – East shall distribute this resolution to the President of the United States, the Governor of the State of Louisiana, the United States Corps of Engineers, the U.S. Environmental Protection Agency, the Louisiana Delegation to the United States Congress, the Orleans Parish, St. Bernard Parish and Jefferson Parish Delegations to the Louisiana Legislature.

Section 4: The Southeast Louisiana Flood Protection Authority -- East urges the following additional considerations: bank stabilization along the GIWW, a separation between Lake Borgne and the MRGO, and raising the height of the proposed rock closure from elevation five feet (5-ft.) to fifteen feet (15-ft.).

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Mr. Barnes, Mr. Goins, Mr. Jackson, Mr. Losonsky, Mr. McKee,
Mr. Pineda and Mr. Wittie
NAYS: None
ABSENT: Mr. Barry

This resolution was declared adopted this 16th day of August, 2007.

.....
I hereby certify that the above and foregoing is a true and correct copy of a resolution duly adopted by the Southeast Louisiana Flood Protection Authority-East at its meeting of August 16, 2007, at which a quorum was present.

John M. Barry
Secretary

This 16th day of August, 2007
Chalmette, LA